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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,392	11/29/2001	Bhupesh Gupta	AUS920011027US1	7315

7590

08/01/2005

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EXAMINER

SAIN, GAUTAM

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/998,392	Applicant(s) GUPTA, BHUPESH	
	Examiner Gautam Sain	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

- 1) This NonFinal rejection is in response to the amendments filed on 11/28/04 and supplement amendments filed on 5/17/05.
- 2) Applicant added claim 13, which was entered and rejected under prior art.
- 3) Examiner withdraws the 102 rejection and adds a new line of rejection under 35 usc 103.
- 4) Examiner withdraws the 35 usc 101 rejection.
- 5) The Examiner uses the Li reference as evidentiary support to show that the motivation to combine the mentioned references (see below) as well known in the art, as consistent with MPEP section 2143.

Claim Rejections - 35 USC § 103

- 6) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 6-1) **Claims 1 - 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nation (as cited above), in view of Burke (US 6032162, issued Feb 2000).**

Regarding claims 1, 4, 7, 10, 13, Nation does not expressly teach, but Burke suggests comparing ... categories (ie., collate bookmarks by sorting the bookmarks by an attribute previously allocated to the bookmarks by controller; Examiner interprets that in order to collate bookmarks in any order, they must be compared).

Nation teaches highlighting ... Web pages (ie., links that the user has traversed previously by the user then change some feature of the text ... color, font, underline...)(col 2, lines 4-8).

Additionally for claim 10, Nation teaches one memory ... data (ie., internal memory used to store or retrieve information from the computer)(col 1, lines 15-25).

Additionally, for claim 13, Nation does not expressly teach, but Burke suggests accessing a web page on the server on which web pages arranged in categories are displayed (ie., in the bookmark display areas, the various categories are displayed)(Burke, Fig 5, item 503, 505, 510, 515, 520).

Nation does not expressly teach, but Burke suggests retrieving URLs ... plurality of users (the user can transfer the bookmark file, which contains bookmarks, to a server location for storage and users that have permission to access the bookmark, which the examiner interprets as being enabled to be accessed by a plurality of users if they are granted permission)(ie., col 3, line 67 – col 4, line 2; col 4, lines 50-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nation to include collating and displaying bookmarks by sorting the bookmarks by an attribute previously allocated to the bookmarks stored on a server and/or a client location accessed by permitted users as taught by Burke, providing the benefit of clearing overload (Burke, col 1, line 32) and solving the need for a tool that allows a user to build and organize a large collection of bookmarks according to users' patterns of revisiting web pages (see Li et al, US 6631496, filed March 22, 1999; Li reference is used to show motivation only), because it was well known in the art.

Regarding claims 2, 5, 8, 10, Nation teaches bookmark ... client (ie., the browsing software keeps a history of links the user traverses. The history is kept in the history file which is associated with the browser. The browser is on the client machine)(col 2, lines 1 –5).

Regarding claim 3, 6, 9, 12, Nation does not expressly teach, but Burke teaches bookmark ... server (the user can transfer the bookmark file, which contains bookmarks, to a server location for storage and users that have permission to access the bookmark, which the examiner interprets as being enabled to be accessed by a plurality of users if they are granted permission)(ie., col 3, line 67 – col 4, line 2; col 4, lines 50-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nation to include bookmarks stored on a server and/or a client location accessed by permitted users as taught by Burke, providing the benefit of clearing overload (Burke, col 1, line 32) and solving the need for a tool that allows a user to build and organize a large collection of bookmarks according to users' patterns of revisiting web pages (see Li et al, US 6631496, filed March 22, 1999; Li reference is used to show motivation only), because it was well known in the art.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. Examiner asserts a new grounds of rejection under 35 USC 103 in view of the applicant's arguments by adding the Burke reference and reconsidering the Nation reference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/28/2005